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SUBJECT: SERBIA: KOSOVO MINISTRY MEETS WITH UNMIK REP, SERBIAN
GOVERNMENT WANTS TO BE SEEN AS CONSTRUCTIVE

SUMMARY

1. (SBU) Serbian Minister for Kosovo Goran Bogdanovic and UNMIK Deputy Head Nicholas Haysom on August 25 discussed the return of ethnic Serbs to judicial bodies in northern Kosovo and to the Kosovo Police Service (KPS), the third UNMIK-GOS meeting in the past six weeks. Bogdanovic reiterated traditional GOS opposition to the transfer of authority from UNMIK to the European Rule of Law Mission in Kosovo (EULEX) and maintained that Serb police would have to report directly to UNMIK. Taken together with recent statements by Foreign Minister Vuk Jeremic and Serb leaders in Kosovo that Serbia needs to reach agreement about the international civilian presence in Kosovo, there appears to be a newfound dose of pragmatism in Belgrade's approach. The upcoming September 3 visit by President Tadic and Foreign Minister Jeremic to Brussels has the potential for progress on EULEX: sources tell us the Serbs may lean forward on EULEX in exchange for European understanding of Jeremic's ICJ initiative at the UNGA. End Summary.

SEARCHING FOR A RECIPE

2. (U) In the run-up to the Bogdanovic-Haysom meeting, Serbian State Secretary for Kosovo Oliver Ivanovic announced that the goal of the discussions with UNMIK was to find a "recipe" for the return of Serb police that could then be used for the judiciary and other services necessary for the survival of Serbs in Kosovo.

3. (SBU) EU sources familiar with the August 25 talks tell us that Haysom sought to focus on areas where UNMIK-GOS dialogue can bring concrete progress. He recommended that Serbia come to terms with EULEX, preferably through face-to-face contacts, and tested the waters whether Belgrade would be amenable to a new UNSCR endorsing EULEX, which, although not needed from a legal point of view, would provide political cover for a number of stakeholders.

4. (SBU) Bogdanovic reportedly stressed that the GOS supports the position of Kosovar Serb police who are willing to return to work, but only if they would report to UNMIK. He argued that reporting within the KPS or EULEX chain-of-command would be tantamount to recognizing Kosovo's independence. Bogdanovic outlined Belgrade's preferred sequence of events as a General Assembly resolution on referral to the ICJ, agreement on police and courts, and then agreement on EULEX, possibly in connection with the next UNMIK report to the Security Council in October.

5. (SBU) FM Jeremic's senior advisor Damjan Krnjevic Miskovic, who participated in the talks with Haysom, told us on August 27 that the Serbian government was intent on achieving concrete results from the discussions with UNMIK in order to demonstrate to skeptical Kosovar Serbs and others that dialogue produces benefits. He stressed that the people within the GOS handling Kosovo policy now are very

different than Kostunica and Samardzic; the new team is intent on solving problems. Miskovic emphasized numerous times the need for the international community to take Serbia's position into account on reconfiguration and the six issues in the UNMIK dialogue. "The Kosovar Albanians have gotten their declaration of independence and reconfiguration," he said; "we need something -- what we're asking for is miniscule in comparison."

¶6. (SBU) Miskovic said that the Serbian government is eager to continue the dialogue with UNMIK and sees both UNMIK Head Zannier and Haysom as serious, constructive interlocutors who follow their instructions from New York. Serbia believes it is necessary to resolve the situation with the courts and police first in order to create a solid foundation for work in other areas. He noted that these competencies should remain under the UN umbrella, adding later that "we are not children -- we realize that the UN may eventually be present in name only."

¶7. (SBU) Regarding EULEX, Miskovic said that Serbia has no objection to and in fact welcomes the presence of the EU in Kosovo, "elsewhere in Serbia," or in the region; the only issue to resolve is the legitimization of EULEX by the UNSC. He stressed that a new resolution would not be necessary; other mechanisms such as a presidential statement could suffice. Miskovic appeared to take the point that as EULEX was approved by all 27 members of the EU, not just those that have recognized Kosovo, it was by definition status neutral; he explained that the GOS nevertheless believed the SYG had overstepped his authority because he was directing EULEX to replace existing pillars rather than to augment them, as was the case previously with the OSCE. Serbia would not have objected had the EU simply announced that it was expanding Pillar IV, he said.

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JEREMIC: SERBIA HAS ROLE IN RECONFIGURATION

¶8. (U) In an August 21 interview with "Vecernje Novosti," Foreign Minister Vuk Jeremic expressed confidence that it was not too late for Serbia to influence reconfiguration: "the process of reconfiguration of UNMIK began without us, but it should not end without us." He added that he believed that it is realistic for Serbia to reach an agreement with the UN Secretariat by September or October regarding the international civilian presence in Kosovo.

¶9. (U) Jeremic stated that such an agreement would stipulate the make-up and the mandate of an international civilian presence that would not infringe upon Serbia's sovereignty and would not have the authority to implement the Ahtisaari plan. The agreement would need to be confirmed explicitly by a Security Council decision and would imply participation of the EU within the framework of the UNSCR 1244. Jeremic also said that Belgrade already has been talking with UNMIK about the possibilities for an agreement.

¶10. (SBU) Vanja Radonjic-Rakic, Counselor with the MFA UN Directorate, told us on August 27 that President Tadic, Prime Minister Cvetkovic, Deputy PM for European Integration Djelic, and Jeremic will discuss the entire range of bilateral issues, including the ICJ referral, EU integration, EULEX, and cooperation with the Hague Tribunal, during their visit to Brussels on September 3. Diplomatic sources in Belgrade speculate that President Tadic may make favorable noises about EULEX in Brussels, but in return will expect concessions on the EU Interim Trade Agreement and potentially even EU support for the ICJ referral.

TRAJKOVIC: FUTURE IS WITH EULEX

¶11. (U) Rada Trajkovic, Deputy Chairperson of the Serb National Council (SNV) of Kosovo, went even further than Bogdanovic and Jeremic, announcing that "I can see nothing wrong with the European Union assuming, through EULEX, the brunt of responsibility for stability in Kosovo," adding that she thinks that Belgrade will change its policy toward EULEX after the UN General Assembly session in September in order to accelerate Serbia's entrance into the EU.

¶12. (U) Trajkovic, who represents Serbs living in enclaves, couched her forward-leaning statement by saying that cooperation with the international community, including EULEX, is the only means for Serbs to deal with repression by Kosovo Albanian institutions, but she nevertheless drew the wrath of hardliners such as the Democratic Party of Serbia (DSS) and Kosovo Serbs from North Mitrovica.

COMMENT

¶13. (SBU) There appears to be growing appreciation within the Serbian government that it must engage with the international community constructively if it wishes to influence events in Kosovo. Belgrade's pursuit of the ICJ referral certainly does not help its image in this regard. But the Serbs will not back down from their commitment to an UNGA ICJ referral. Tadic may just give the Europeans what they want on EULEX next week in Brussels in exchange for tolerance (or better) of the Serbian UNGA initiative.

MUNTER